

RECEIVED

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

MAY 11 2018

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Tommy Ray Ortiz

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

1:18-cv-03385

Judge Edmond E. Chang
Magistrate Judge Jeffrey Cole
PC7

Bill Epperson, Carter,
Baldwin, Sharon, Raven,
James Corcoran, Tom Zubik
Ann Boise Clair, Brian Dawson,
Dr. Welch, Dr. Uddin, Dr. Trelka,
Dr. Malhotra, Nurse Darvette,

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

☒ **COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983**
U.S. Code (state, county, or municipal defendants)

☐ **COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE**
28 SECTION 1331 U.S. Code (federal defendants)

☐ **OTHER (cite statute, if known)**

BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

I. Plaintiff(s):

- A. Name: Tommy Ray Ortiz
- B. List all aliases: _____
- C. Prisoner identification number: N/A
- D. Place of present confinement: Elgin Mental Health Center, m-unit
- E. Address: 750 S. State St., Elgin, Illinois 60123

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In **A** below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in **B** and **C**.)

- A. Defendant: Bill Epperson
Title: Security Chief
Place of Employment: Elgin Mental Health Center
- B. Defendant: Carter - Badge #37
Title: Security Staff
Place of Employment: Elgin Mental Health Center
- C. Defendant: Baldwin, Badge #23
Title: Security Staff
Place of Employment: Elgin, Mental Health Center

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

Defendant(s)

Name: Sharon

Title: security Assistant

Employed at: Elgin Mental Health Center ✓

Name: Raven

Title: security Assistant

Employed at: Elgin Mental Health Center ✓

Name: James Corcoran

Title: Administrator

Employed at: Elgin Mental Health Center ✓

Name: Tom Zubik

Title: Administrator

employed at: Elgin, Mental Health Center ✓

Name: Ann Boise Clair

Title: Administrator

Employed at: Elgin Mental Health Center ✓

Name: Brian Dawson

Title: Administrator

Employed at: Elgin Mental Health Center ✓

Defendant(s)

Name Dr. Welch

Title: Doctor

Employed at: Elgin Mental Health Center ✓

Name: Uddin

Title: Doctor

Employed at: Elgin Mental Health Center ✓

Name: Trelka

Title: Doctor

Employed at: Elgin Mental Health Center ✓

Name: Malhotra

Title: Doctor

Employed at: Elgin Mental Health Center ✓

Name: Danette

Title: Nurse manager

Employed at: Elgin Mental Health Center ✓

Name: ~~Brenda Lee~~

Page #3

Title: ~~security assistant~~Employed at: ~~Elgin Mental Health Center~~

Defendant(s)

Name:	Page	/ Brenda Lee
Title:	security Assistant	/ security Assistant
Employed at:	Elgin Mental Health Center	/ Elgin Mental Health center

Name: "Jane Doe"
 Title: Nurse
 Employed at: Elgin, Mental Health Center

Name: "John Doe"
 Title: security staff
 Employed at: ~~staff~~ Elgin Mental Health Center

Name: "John Doe"
 Title: security staff
 Employed at: Elgin Mental Health Center

Name: "John Doe"
 Title: security staff
 Employed at: Elgin Mental Health Center

Name:	"John Doe"	/ John Doe (van driver)
Title:	security staff	/ security staff
Employed at:	Elgin Mental Health Center	/ Elgin Mental Health Center

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: Tommy R. Ortiz vs. Linda Myer; Case # 1:18-cv-01667
- B. Approximate date of filing lawsuit: 3-6-2018
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: _____

- D. List all defendants: Linda Myer, Jeffrey Rheeding, Rachel Brown

- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): Chicago, Illinois
- F. Name of judge to whom case was assigned: Honorable Thomas M. Durkin
- G. Basic claim made: Defendant(s) attacked plaintiff and injected plaintiff with an experimental material called nanites.
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): Ongoing. Is still pending

- I. Approximate date of disposition: _____

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

Bill Epperson, Carter ^{Badge #37}, Baldwin ^{Badge #23}, Sharon and "John Doe" (Name unknown) Staff refuse to give names. On 3-6-2018 conspired to formulate a lie to justify attacking me physically and having me moved from the minimum security unit to the maximum security unit where the severely mentally ill are housed. Plaintiff on return to the Elgin Mental Health Center at 750 S. State St. Elgin, Illinois 60123, was physically attacked while still chained up hands and legs, plaintiff was jerked out of the transport van and onto the ground, almost falling. Plaintiff was pushed and shoved into the forensic housing unit-G where the severely mentally ill are housed. Plaintiff ask why I was not taken back to the Hinton unit where I was originally housed. Staff told me that I can grieve it too if I did not like it. I was informed by staff that I allegedly choked, or attacked and choked someone while at the

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

Hospital in Chicago, Illinois. I informed the staff that the allegation is a lie. Nevertheless I was transferred into the Forensic Unit-G where the Severely Mentally Ill and Violent patients are housed. Staff immediately confiscated my medical shoes and inkpen, I was given a crayon to write with. The security staff were laughing when my inkpen was taken and replaced with a crayon. Staff told plaintiff that he, plaintiff is on precaution status, which is a punishment status. It seemed that the staff were doing everything possible to provoke a negative response from plaintiff.

On 3-8-18 and 3-9-18 staff started to withhold my anxiety and depression medication, once again trying to make me have a bad day.

On 4-18-2018 this plaintiff was violently attacked by a severely mentally ill and violent patient in this Forensic G-unit. Plaintiff was struck in the face and head several times, causing plaintiff facial and head injuries. Photos were taken. Police report filed. Plaintiff informed the security chief, Bill Epperson that plaintiff or the violent patient needed to be

Statement of Claim:

moved off of unit G. Bill Epperson stated that he was not moving the violent patient who had just attacked me very violently off of unit G. Later that afternoon the violent patient Claude R. violently attacked me again without provocation of any kind as he had done earlier that very day. Shortly thereafter security staff ask plaintiff to come into the nurse's station, once in the nurse station plaintiff was attacked by 4 or 5 security staff who grabbed plaintiff by the arms while a nurse injected some type of drug into plaintiff. Plaintiff started having difficulty Breathing and then told that he, plaintiff is being moved to a different unit. Plaintiff was moved to another forensic unit, Unit-M. This Unit-M is identical to unit G, a forensic unit for the severely mentally ill and violent patients.

The defendant(s) Wanton and Malicious actions of placing false documentation into plaintiff's file indicating that plaintiff is violent was done with the Wanton Malicious intent to have this plaintiff moved to a forensic unit where the patients are severely mentally ill and violent. The defendant knew that there was a high probability that plaintiff would be attacked in such a forensic unit as G-unit. Plaintiff has been filing Complaints & Grievance with the administrators since arriving here on January

Statement of Claim:

- 1-3-2018 and has "not received one" reply from the administrators other than continuous acts of retaliations from staff.
- ⑤ Raven, a staff member here at the Elgin Mental Health Center told this plaintiff to urinate on myself and to defecate on myself because she, Raven was not going to open my cell door so that I can use the bathroom. The Wantonly Malicious acts of being denied access to a toilet by staff member Raven was on: Jan. 30-2018 and 2-1-2018.
- ⑥ Brenda Lee, a staff member here at the Elgin Mental Health Center refused to give me toilet paper when I ask her for enough toilet paper to wipe myself. Brenda Lee stated, "no" your not getting any toilet paper and then laughed at plaintiff. Such toilet paper denial is a common practice here at Elgin Mental Health. ~~Brenda Lee's act is Wanton and Malicious~~
Brenda Lee's actions were wanton and malicious.
- ⑦ Page, A staff member here at the Elgin Mental Health Center refused to give me toilet paper when I ask her for enough toilet paper to wipe myself. Page said "no", you are not getting

Statement of Claim:

any toilet paper, and then Page and Brenda Lee laughed at plaintiff. Page's actions were wanton and malicious, meant to provoke a negative response of some kind.

Defendant(s) James Corcoran, Tom Zubik, Ann Boise Clair and Brian Dawson and Doctor Welch are Administrators and Doctors; they are employed here at the Elgin Mental Health Center. They know, or should have known about the living conditions that plaintiff is currently being forced to live under. The defendant(s) do a walk-through on the units and see the filthy floors, see the patients that are filthy and smelling like urine and feces, see that none of the cells in the forensic units have toilets or sinks in them, see that the cells have body waste on the walls of the cells, they see that normal patients are being housed in the same units with the severely mentally ill and violent patients, they see and smell the urine and feces on the walls and floor of the communal bathroom on the units. And they do absolutely nothing to correct the problems and conditions under which this plaintiff is forced to live. They know that housing normal patients with the severely mentally ill and violent patients is extremely detrimental to the mental and physical health of the normal patient(s), but the wanton indifference the defendant(s) have shown and continue to show in regards to this plaintiff's mental and physical well being has caused this plaintiff to suffer 3 violent attacks, two by a severely mentally ill patient, and one violent attack by security staff and a nurse.

Statement of Claim:

⑨ The Following Doctor(s), Dr Uddin, Dr. Trelka, Dr. Malhotra are employed at the Elgin Mental Health Center in Illinois located at 750 S. State St, Elgin, Illinois 60123. Said Doctors had my Orthopedic shoes Confiscated With the Full knowledge that my right foot had been broken and healed with a deformity in the arch and ankle area. They knew, or should have known that to Confiscate my orthopedic shoes would cause this plaintiff to suffer extreme pain in plaintiff's right foot. The defendant(s) showed a Wanton deliberate indifference to this plaintiff's pain and suffering for months. Their actions were Wanton Maliciousness that showed a intent to use plaintiff's Orthopedic shoes as a Weapon of provocation to provoke a Negative response from plaintiff by giving plaintiff's orthopedic shoes to plaintiff for a few days and then Confiscating plaintiff's shoes again. The defendant(s) actions were Wanton and Malicious...and showed malicious indifference to plaintiff's mental and physical well being.

⑩ The Following staff members are employed at the Elgin Mental Health Center, #1 John Doe, #2 John Doe, #3 John Doe, #4 John Doe are all employed as security staff members and work for security chief Bill Epperson who was also there when plaintiff was being attacked by staff... on April-18-2018, 3:55 pm.

Statement of Claim:

or there about. Said staff members grabbed plaintiff's arms very violently and held plaintiff's arms while a Nurse injected drugs into plaintiff, causing plaintiff to have difficulty breathing and blurred vision. The defendant(s) actions showed a wanton deliberate indifference to this plaintiff life, mental and physical health and well being when they violently shoved plaintiff against a table while the Jane Doe Nurse injected drugs of a unknown type into plaintiff's body.

- (11) Jane Doe, is employed at the Elgin Mental Health Center, 750 S. State St. Elgin, Illinois 60123. On April-18-2018 Jane Doe was employed as a nurse at the Elgin Mental Health Center when she attacked plaintiff with a needled hypo and injected a unknown drug into plaintiff's body, causing plaintiff to have difficulty breathing and blurred vision. Since being violently attacked by staff plaintiff has been suffering from extremely bad headaches. The actions of the defendant showed a wanton deliberate indifference to this plaintiff's life, mental and physical well being. Defendant's attack on plaintiff was malicious and with the intent to physically and mentally harm plaintiff by said attack on plaintiff.

- (12) Darvette is the nurse manager and is a staff

Statement of Claim:

member here at the Elgin Mental Health Center, 750 S. State St. Elgin, Illinois 60123. On April-18-2018 Ms. Darlette told security staff to Confiscate plaintiff's orthopedic shoes. Said Confiscation of plaintiff's orthopedic shoes again was Wanton and Malicious and meant to provoke a negative response from plaintiff. That is how staff attempt to justify physically attacking the Mentally Ill patients here at the Elgin Mental Health Center, to provoke.

Plaintiff sues all of the defendants in their official and in their individual capacity, each for the amount of \$1,000,000.00 in their official capacity, and \$1,000,000.00 each in their individual capacity.

The Administrators and Doctors have not permitted this patient any outside recreation or inside recreation even though there is a recreation yard just out the door in each unit. The continuous and on-going recreation denial is malicious with the Wanton deliberateness to cause this plaintiff health problems.

Statement of Claims:

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The defendants do not have any meaningful group therapy sessions for patients, patients that are classified "Unfit to stand Trial" as this plaintiff is classified.

The defendant(s) do not provide this patient access to a commissary store. ~~There is a store~~ that sales food items like peanut butter and jelly, bread sandwich meat etc. Currently all that this patient can buy is vending machine junk food such a candy, potato chip, pops. No real food is available through a commissary store.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Shut down every forensic unit that does not have a toilet and basin in the cell. Force the defendant(s) to remove any and all false documentation out of Plaintiff's files. Force the defendant(s) to stop confiscating my medical shoes. Force the defendant(s) to stop stealing Plaintiff's soap and toothpaste. Force the defendant(s) to let every patient use the recreational yard, and not the dog-pen.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 4 day of May, 2018

Tommy Ortiz R.
(Signature of plaintiff or plaintiffs)

Tommy Ortiz R.
(Print name)

N/A
(I.D. Number)

Elgin Mental Health Center
750 S. State St. Elgin, Illinois 60123
(Address)

Relief:

Force the defendant(s) to pay plaintiff in their official and individual capacity \$1,000,000.00 each, for plaintiff's injuries, pain and suffering.

Force the defendant(s) to shut down and clear all the units that smell of feces and urine.

Force the defendant(s) to separate all the severely mentally ill and violent patients from the normal patients who are not severely mentally ill and violent.

Force the defendant(s) to let the patient(s) have 3 hour visits with family and friends. And any family traveling 50 miles or more to visit their love one be permitted a 4 hour visit instead of just one hour as is currently being done. Force the defendant to provide a family friendly visiting area for family members who are children as well as adults.

Force the defendant(s) to fire any employee who falsifies reports and lies on patients.

Stop all forced medication injections when a patient is not severely mentally ill and violent.

Relief:

Force the defendant(s) to actually have meaningful group therapy sessions for the patients here at the Elgin Mental Health Center.

Force the defendant(s) to provide a commissary store that patients will have access to at least once a week to buy real food items instead of the junk food now being sold to patients through vending machine. And be able to keep those food items in their cell with them.

Exhibits

Plaintiff Has Received "NO" Response
To Any of Plaintiff's Complaint & Grievances
Other than One.



Bruce Rauner, *Governor*

James T. Dimas, *Secretary*

Office of the Inspector General

1200 South First Avenue
Hines, IL 60141

March 28, 2018

Mr. Tommy Ortiz
750 S. State Street
Elgin, IL 60123

Re: Investigative Report Case 5918-0105

Dear Mr. Ortiz:

The Office of the Inspector General (OIG) has completed its investigation into mental (psych.) abuse naming you as a victim. The finding is unfounded.

You may request clarification or reconsideration of this case in writing using the enclosed form within fifteen (15) business days of receipt of this letter. Any reconsideration request must be based on information not considered or discovered during this investigation. You will be notified in writing of the reconsideration hearing results.

Please call Donnie Williams, Bureau Chief, Northern Investigations, at (708) 338-7191 with any questions.

Sincerely,

For Michael J. McCotter
Inspector General

enc: Reconsideration Form

FINDINGS RESPONSE: CLARIFICATION OR RECONSIDERATION REQUEST

DATE: March 28, 2018

FROM: Mr. Tommy Ortiz
750 S. State Street
Elgin, IL 60123

TO: Office of the Inspector General
North Bureau of Investigations
1200 South First Avenue
Hines, IL 60141

RE: CASE NUMBER: 5918-0105

☒ I am requesting clarification of the following:

I have filed "3 or 4" Complaints with your
office, which Complaint are you referring to?
attach a copy of it.

☐ I am requesting a reconsideration of the finding

☐ based on the attached new evidence, OR

☐ based on the following evidence:

SIGNATURE: _____

PRINTED NAME: _____

EMAIL ADDRESS: _____

EMHC Consumer Complaint/Concern Form

If you have a complaint, concern or grievance, you (or someone on your behalf) may complete this form to report it. Complete and return to Nurse Manager.

Complainant's Name: Tommy Ortiz Unit: G-unit Date: 3-16-18
Complaint:

See Attachment

Where did it happen? _____

When did it happen? (Date/Time): _____

Describe incident/circumstance: _____

Name(s) of staff involved (if applicable): Ann Boise Clair, Bill Epperson,

Witness to incident: 1. James Corcoran 2. Dr. Malhotra, G. Starr

Name of person completing form if other than consumer: _____

Complainant's Signature: Tommy Ortiz

STEP 1 Nurse Manager to respond within 2 business days

Nurse Manager : _____ Date received: _____

☐ Able to resolve on unit.

Plan: _____

☐ Unable to resolve: Reason: _____

Forwarded to: _____ Date: _____

*Date copied and response given to patient: _____

STEP 2 Next level to respond within 5 business days

Program Director: _____ Date received: _____

☐ N/A; data collection only

☐ Able to resolve.

Plan: _____

☐ Unable to resolve.

Reason: _____

*Date copied and response sent to patient: _____

STEP 3 - IF deemed appropriate

Facility Director: _____ Date received: _____

☐ N/A; data collection only

☐ Able to resolve.

Plan: _____

☐ Unable to resolve.

Reason: _____

*Date copied and response sent to patient: _____

3-16-18

Grievance & Complaint on Conditions of Confinement

This Complaint and Grievance serves to make you aware of the issues described herein. Ann Borse Clair, Bill Epperson, James Corcoran, Dr. Malhotra and Candy Starr.

Confinement and on going abuse of power by staff members. And having made you aware of these conditions of my Confinement and Continuous and on going abuse of power by staff members makes you liable in any and all Civil actions I deem necessary to correct and stop the abuse of power by staff members here at the Elgin Mental Health Center, 750 S. State St. Elgin, Illinois 60123.

Issues of abuse of power by staff members here at there Elgin, Mental Health Center.

- ① Here in G. Unit, When you enter the unit you will notice that there is the strong smell of feces in the air as well as urine. Some staff on the evening shift try to clean the cells that have patients in them that urinate and defecate on themselves while the day shift does nothing

other than harass the mentally ill patients. Said harassment is as follows: Denying a patient toilet paper when he needs to defecate, This is done by staff members: Brenda Lee and Staff Member Paige. Said staff also turn the volume on the TV very low so that the patients can not hear the TV. When the patients ask them to turn up the volume on the TV, staff member Paige likes to respond telling the patient to shut up and then they will be able to hear the TV. Eve and Helen and one other seem to do there job on the day shift, the rest do not. This entire unit does not have any toilets in the cells thus causing the heavily medicated patients to defecate and urinate in their cells over night rather than walk 50 or 60 feet to the bath room. the seriously mentally ill patients are going to defecate and urinate on themselves and in there cells which needs to be cleaned everyday.. Which is not being done. The cells not having toilets in the cells should mandate that this G. unit and all other unit like G. unit without toilets in the cells be shut down until said toilet ~~are~~ ^{paper} are in the cells. One of the primary factors when it comes to patients smelling like feces all day long is the issue of Brenda Lee and staff member Paige refusing to issue toilet ^{paper} when it's needed.

② I, Tommy R. Ortiz have been in a punishment status since my arrival here at the Elgin Mental Health Center, arrived: Jan 3-2018.

The only reason given for said placement in a punishment status is a 45 year old escape record. This patient was punished for said escape record 45 years ago, and here it is 45 years later with, with the Elgin Mental Health Center punishing me again for the very same escape record. They, the staff call it "precaution" status which is a disciplinary status. In this precaution status I am subjected to the following Wanton and Malicious punishments:

①, My medical shoes are confiscated, "my" toothbrush was taken and not returned. It, the toothbrush was sent to me by a family member.

②, I am denied food items that the other patients are given access to.

③, I am denied access and use of my "electric razor".

③, I am denied access to the gym for exercise.

④, I am denied toilet paper to wipe myself after I defecate, a staff member Brenda Lee and a staff member named Paige routinely

deny me enough toilet paper to clean myself properly with. Brenda Lee and Paige seem to think it's funny having a patient standing at the control room window having to deferate ask for toilet paper and them "saying no".

⑤ Forced to live in a unit G. that also has severely mentally ill. patients in said unit. This patient functions at a normal level and has no mental retardation but is yet forced to live with patient who are severely mentally ill. Which is detrimental to this patients' mental Health and Wellbeing.

⑥ To revisit a issue: On 3-6-2018, I was driven to Chicago for a medical appointment for my heart. The staff member, a guard sitting directly behind me kept jabbing something into the back of my seat during the entire drive to Chicago. When I got out of the Van my back was hurting on the left and right side. The guard said his knees were pressed into the seat's back area. That would not cause me to have pain in my right and left upper back area. The guard's name is Carter, badge #37, or least that's the name and Badge # he gave me after canceling my

medical appointment at the hospital there in Chicago, Ill. Later that night on 3-6-18 I was rushed to the emergency here in Elgin for chest pain and high blood pressure. I was in the emergency room 9 hours or there about. Further, staff member Carter forced a female patient to sit half of her butt on my lap during the entire drive from Elgin to Chicago. The female patient was over weight and there was not enough room for her on the seat to sit. Staff member Carter, badge #37 canceled my medical appointment at the Chicago hospital because I ask him for his name 4 times, after he had threatened to cancel it if I ask for his name again. Carter then lied and alleged that I attacked someone. No^{one} seems to know who I was alleged to have attacked, exposing the lie for what it is. Thus far since arrival here, Staff members have told me to: piss in my pants, shit on myself, piss on the wall, all while being denied access to a bathroom. I will let the court decide on the accumulative effects all these abusive actions are having on my mental well being.

Respectfully
Tommy Ortiz

EMHC Consumer Complaint/Concern Form

If you have a complaint, concern or grievance, you (or someone on your behalf) may complete this form to report it. Complete and return to Nurse Manager.

Complainant's Name: Tommy Ortiz Unit: G-unit Date: 3-10-18
Complaint:

See Attachment!

Where did it happen? _____

When did it happen? (Date/Time): _____

Describe incident/circumstance: _____

Name(s) of staff involved (if applicable): Bill Epperson, Dr. Malhotra, Dr. Pappas

Witness to incident: 1. Ann Boiseclair, 2. James Corcoran, Candy Starr

Name of person completing form if other than consumer: _____

Complainant's Signature: Tommy Ortiz

STEP 1 *Nurse Manager to respond within 2 business days*

Nurse Manager : _____ Date received: _____

☐ Able to resolve on unit.

Plan: _____

☐ Unable to resolve: Reason: _____

Forwarded to: _____ Date: _____

*Date copied and response given to patient: _____

STEP 2 *Next level to respond within 5 business days*

Program Director: _____ Date received: _____

☐ N/A; data collection only

☐ Able to resolve.

Plan: _____

☐ Unable to resolve.

Reason: _____

*Date copied and response sent to patient: _____

STEP 3 - IF deemed appropriate

Facility Director: _____ Date received: _____

☐ N/A; data collection only

☐ Able to resolve.

Plan: _____

☐ Unable to resolve.

Reason: _____

*Date copied and response sent to patient: _____

Grievance & Complaint ON Retaliation

Notice of Civil Complaint to the U.S. District Court. This Notice Serves to make you fully aware of the issues described herein. I Have made you fully aware of the issues, makes you liable in any and all civil actions I may take to correct the issues of abuse of power, retaliation against patients for filing a Grievance & Complaint on conditions of living and confinement at the Elgin Mental Health Center, at: 750 S. State St. Elgin, Illinois, 60123.

On March 2-2018, I Was Driven to a Chicago Hospital for an appointment. The drive there was about a hour or so, with a over weight female patient sitting next to me with half of her butt sitting ~~my~~ on my right leg made the entire trip very painful for me. When we arrived in Chicago - from Elgin my right leg was numb from the female patient sitting on my right leg the entire trip. Once the female patient left the Van I made the guards aware of her, the female patient's seating area being to small for her to be able to sit properly in the seat. I explained that she was sitting half on my leg the entire drive to Chicago. The staff members

involved are: Carter #37, Baldwin #23, and Sharon. The driver of the Van is also involved, he was the individual talking with the head of security, Bill Epperson. Bill Epperson is a former Illinois Department of Corrections officer. This employee, Bill Epperson claims to know me from the Illinois Dept. of Corrections. Claims he knows about a 45 year old escape record, that he knows I was punished for, 45 years ago for. Yet today, Bill Epperson is still punishing ^{me} again for a 45 year old escape record I had, by having me transferred from the medium-minimum to a high Medium Security unit here at the Elgin mental Health Center. Epperson had the ~~the~~ Driver _____, of the Van, the two guards that were in the Van lie, alleged that I attacked someone while being driven to the Hospital in Chicago or someone at the hospital, itself. The individual that was allegedly attacked seems to be a ghost, NO ^{ONE} knows who I was suppose to have attacked. Keep in mind that I was chained up hands and legs, I could barely stand up and walk. Anyone interested in the truth will be able to clearly see through the lies being used to punish me at this time. Said punishments are as follows: ① Confinement in a high medium-max unit without just cause, denied access to the

3-13-18

gym for exercise, denied access to food items that the other patients are given access to, denied access to my medical boots/orthopedic boots, my right foot was broken in 6 places that is why the boots are needed. I am denied a Inkpen due to the precaution status. I had to borrow this pen to write with right now, (2). I am denied a hair cut and denied shaving.

Staff members:

Dr. Malhotra, Dr Poppas, Epperson, Bill-Security chief, Ann Boise Clair, Dr. James Corcoran, and Candy Starr-Case Worker. All have knowledge of my situation but have elected to do nothing.

They all know that the allegation used by Bill Epperson to have me moved from the Hinton unit over to G-unit is an out right lie. All of these lies were suppose to make me angry and want to do something stupid- "Bill Epperson plan." He's thinking 45 years ago- not in today's reality. When I ask Dr. Malhotra and Dr. Poppas "why I am on precaution status, they stated that I might try to leave (escape.) It all comes back to 45 years ago and Bill Epperson still wanting to retaliate against those who file suits, grievances or just complained. To use a 45 year old history to justify punishing ^{me} again for it today is against the law no matter what courtroom you are in. So to make it clear and completely understood, I have already been punished for said history 45 year ago.

Staff members withheld my medication for depression and anxiety on March 8th and March 9th in an attempt to try to make me act out in a negative way. Someone seem to think that I was taking the situation too calmly, so they took my medication.

The individual staff member that started the lie at the Hospital in Chicago is a guard named Carter #37. Once inside the hospital I ask Carter if he could put the woman patient in another seat due to her sitting on my right ^{leg} all the way from Elgin to Chicago. I ask for his name, Carter said he was not going to give me his name. I ask twice more for his name and he again said he's not going to give me his name, and further stated that if I ask him for his name again that he is going to cancel my medical appointment and take me back to Elgin. I said I still need your name. Carter then stated that my medical appointment has been canceled. He called the driver of the Van and I was taken back to Elgin. The Van driver is the one who called Bill Epperson and initiated the lie. With Carter's help.

Respectfully
Tommy Ortiz

EMHC Consumer Complaint/Concern Form

If you have a complaint, concern or grievance, you (or someone on your behalf) may complete this form to report it. Complete and return to Nurse Manager.

Complainant's Name: Tommy Ortiz Unit: G-wait Date: 4-17-18
Complaint:

See Attachment!

Where did it happen? _____

When did it happen? (Date/Time): _____

Describe incident/circumstance: _____

Name(s) of staff involved (if applicable): Ann Boise Clair, Brian Dawson, Tom Zubik

Witness to incident: 1. Dr. Welch, Dr. Malhotra 2. James Corcoran, Bill Epperson

Name of person completing form if other than consumer: Staff: Dr. Treka

Complainant's Signature: Tommy Ortiz

STEP 1

Nurse Manager to respond within 2 business days

Nurse Manager: _____ Date received: _____

☐ Able to resolve on unit.

Plan: _____

☐ Unable to resolve: Reason: _____

Forwarded to: _____ Date: _____

*Date copied and response given to patient: _____

STEP 2

Next level to respond within 5 business days

Program Director: _____ Date received: _____

☐ N/A; data collection only

☐ Able to resolve.

Plan: _____

☐ Unable to resolve.

Reason: _____

*Date copied and response sent to patient: _____

STEP 3 - IF deemed appropriate

Facility Director: _____ Date received: _____

☐ N/A; data collection only

☐ Able to resolve.

Plan: _____

☐ Unable to resolve.

Reason: _____

*Date copied and response sent to patient: _____

4-17-18

Complaint And Grievance

To: Ann Boise Clair, Brian Dawson, Tom Zubik
Dr. Welch, James Corcoran, Bill Epperson
Dr. Malhotra and Candy Starr, and Dr. Trelka.

Confinement and on-going abuse of power
by Staff members here at the Elgin Mental
Health Center, 750 S. State St., Elgin, IL 60123.

And having made you aware of these
abusive conditions of Confinement and the
continuous and on-going abuse of power by
staff members makes you liable in any and
all Civil actions I deem necessary to correct
and stop the abuse of power by staff members
here at the Elgin Mental Health Center.

Issues of abuse of power by staff members
here at the Elgin Mental Health Center:

Patients are routinely threatened when they make
complaints about the actions of staff. The threat
start when the staff member tells the patient he's
being "disruptive", (for asking for more toilet paper.)
Once a patient is deemed by staff to be disruptive,
the staff will call security and force the patient
into a back room where he's injected with drugs
of some kind. The staff routinely tell the patients"

to check the authorization box on a questionnaire for the use of drugs if the patient is deemed to be disruptive by staff.

Retaliation by staff against patients who complain too much about the abusive conditions of confinement and abuses by staff members. Keep in mind, no patient here has been convicted of a crime, just unfit to stand trial.

① Relatively normal patients are forced to live in a housing unit with severely mentally ill patients who urinate and defecate on themselves, the floors, the bathroom walls, in their cells and in the hallway. Anyone coming into G-unit will notice the smell of urine and feces in the air. Some days it's overpowering to where it makes me sick. Said severely mentally ill patients should not be housed with normal patients due to said housing is detrimental to the mental health of the normal patient.

② Being forced to live in a housing unit G with severely mentally ill patients has caused this patient to be subjected to the same restrictive and harsh administrative policies as those imposed on the severely mentally ill patients.

1-18-18 Today 4-18-18 at or around 9:30 or 9:45, I was
 ③ Violently attacked by another patient named:
 Claude R. , the attack occurred in a room
 full of patients and 2 staff member. I was
 struck twice in the face on my left side which
 left swelling under my left eye. Picture of my
 injuries were taken by staff. The Police report #
 2018-2411-76/ officer Kendell of the Elgin Police
 filed the report. It is obvious that the Elgin
 Mental Health staff want additional violence
 to occur between myself and patient Claude
 due to the fact that they left patient Claude on
 the G-unit with me. This act of wanton intent
 to create a violent situation is Bill Epperson's
 doing, if it were otherwise, Bill Epperson would
 have moved patient Claude or myself off of
 G-unit. Any additional violence between patient
 Claude and myself is the fault of Bill Epperson
 and the Elgin Mental Health staff due to their
 malicious wanton intent to create a violent
 altercation. Staff seem to think the attack on me was funny.

4-18-18 Staff confiscated my inkpen this morning, stating I
 ④ had "paper" on it. It gives the pen more support for
 writing with. The staff member confiscating
 my inkpen is a IVORR NUNEZ.

⑤ On the weekend, Saturday & Sunday during breakfast

(5) and lunch some of the patients here in G Unit are force to eat their meals on the floor due to staff telling them they can not use the 3 tables on the Eastside Common area, (day room.) Staff stating that they are not going to clean up on both sides of the common areas (East & West day room areas.) When a patient tries to use the tables on the eastside common area they are told that they are being "disruptive" and "threatened" with violence from the security staff and being forcefully given a medication shot to put them to sleep.

* All being done because staff are too lazy to clean up on the East & West side day room areas on the weekends.

(6) When patients are let outside it's into a dog-pen type cage for 15 or 30 minutes. Though ~~the~~ there is a recreation yard, the patients are not permitted to use it even though right outside the dog-pen type cage they are put it.

(7) The patients on G-unit, a lot of them do not take showers, some defecate and urinate on themselves. Staff do not clean the cells of the patients who defecate & urinate on themselves properly.

(8) Severely Mentally Ill and Violent patients are

being housed in the same living unit with patients that are normal and not violent. Example: me being violently attack this morning by a Severely Mentally Ill and Violent patient is the over all disregard that staff show for the safety and welfare of patients here at the Elgin Mental Health Center, 750 S. State St., Elgin Illinois 60123.

It is clearly a Wanton Malicious disregard for the personal safety and welfare of patients here at the Elgin Mental Health Center. This Facility is Corrupt from the top down, operating on lies and deception for, and to keep the eyes of the courts and public outside their gates. Keep in mind, no patient here under the unit is stand trial has been convicted of any crime, nor is under any sentence, but is treated with contempt and worse than a state prisoner under sentence for murder in a disciplinary segregation unit. I'm housed in a unit-G that has no toilet or sink in the cell.

4-18-18 I was once again attacked by patient Claude R. tonight. The security staff decided to move me from G-unit to M-unit. A unit identical to G-unit in every way. The security Chief Bill Epperson said he's doing the move for my safety. If that were so, why didn't he make the move earlier, before the second attack on me in which I was almost hit by a chair.

Tommy Ortiz

EMHC Consumer Complaint/Concern Form

If you have a complaint, concern or grievance, you (or someone on your behalf) may complete this form to report it. Complete and return to Nurse Manager.

Complainant's Name: Tommy Ortiz Unit: M-Unit Date: 4-20-18
Complaint:

See Attachment!

Where did it happen? _____

When did it happen? (Date/Time): _____

Describe incident/circumstance: _____

Name(s) of staff involved (if applicable): Ann Boise Clair, Brian Dawson, Tom Zubik,

Witness to incident: 1. Dr. Welch 2. James Carcoran

Name of person completing form if other than consumer: _____

Complainant's Signature: Tommy Ortiz

STEP 1 *Nurse Manager to respond within 2 business days*

Nurse Manager : _____ Date received: _____

☐ Able to resolve on unit.

Plan: _____

☐ Unable to resolve: Reason: _____

Forwarded to: _____ Date: _____

*Date copied and response given to patient: _____

STEP 2 *Next level to respond within 5 business days*

Program Director: _____ Date received: _____

☐ N/A; data collection only

☐ Able to resolve.

Plan: _____

☐ Unable to resolve.

Reason: _____

*Date copied and response sent to patient: _____

STEP 3 - IF deemed appropriate

Facility Director: _____ Date received: _____

☐ N/A; data collection only

☐ Able to resolve.

Plan: _____

☐ Unable to resolve.

Reason: _____

*Date copied and response sent to patient: _____

4-20-18

Complaint, & Grievance

TO: Bill Epperson, Security Chief

Copied To: Ann Boise Clair, Brian Dawson
Tom Zubik, Dr. Welch, James Corcoran

Today at 12:55 pm or there about I was taken to a outside Orthopedic Clinic here in Elgin, Illinois. During the short trip I ask the security if he has a cell phone out, the guard became violently hostile, starts screaming in my right ear, saying, yes! I have a cell phone out, and then shoves the Flip phone in my face, saying it's a work phone, all the while yelling into my right ear. I ask the guard, a black guy, his name. The guard said he does not have to give me his ^{name}, said he's not there to talk with me, just transport me to the Clinic, all the while yelling this into my right ear. I then said to the guard, "your 'being disruptive'" and he, the guard scream back at me, saying: that's what's going into your chart, your 'being disruptive'. The guard continued to yell, and I once again said to the guard, your 'being disruptive' which seem to make him angrier. I don't expect to hear any truth of

the matter back from anyone in charge due to the lies and deception that seem to be the norm here at the Elgin Mental Health Center, 750 S. State St. Elgin IL 60123. The patient is blame whenever staff need a scape-goat for, to justify their actions, or lack of action in any given situation where a problem has occurred.

Whenever a system operates on a daily basis using lies and deception to cover up the truth and wrong doing by staff is a system doomed to fail in the end. You can not keep the Federal Courts outside your gates for long once a civil action is initiated.

Since being here I have been told by state investigators that employees alleged that I attempted to choke, or did choke someone some where during a hospital trip to Chicago, Illinois, ON: 3-6-18. Keep in mind that my hand were chained to my waist, and legs were chained as well. Anyone looking at how I was chained up will know that the security guards told lies to cover up there own wrong doing. I don't like being lied on by staff who refuse to give me their names and then make up a lie to deceive and mislead other.

Continued

Tommy Ortiz

4-2018

Mr. Epperson, I need the full and complete names of every security staff member that was in the nurses station that held my arms while a nurse injected me with some type drug even after I objected to being forcibly given drugs. I need the nurse's full and complete name that injected the drugs into my body even after, after I objected to having drugs shot into my body.

The actions showed a reckless disregard for my life and personal safety when said drugs were forcibly injected into my body, causing me extreme difficulty breathing, blurred vision. the actions of the nurse and security staff was completely unjustified when they held my arms while a nurse injected drugs into my body causing me extremely difficulty breathing, This patient thought, and felt that security staff and the nurse were attempting to over dose this patient. This patient was not violent, or acting violent in any way, this patient objected to being forcibly given drugs and would still object. To clarify what was done, This patient was attacked by security and a nurse and forcibly injected with drugs even though this patient was not violent or acting violent in any way. The attack was wanton maliciousness by staff.

4-22-18

8:25 am,

Today my thoughts on this facility allegedly to help the Mentally Ill is unchanged. The policies are wanton and arbitrary, designed and carried out to inflict punishment at every level on the patients here at the Elgin Mental Health Center at 750 S. State St., Elgin IL 60123.

This morning at 8:25 am or there about a Brian Ayers security staff member search my cell and confiscated my toothpaste and toothbrush, stating that I could not keep my toothpaste and toothbrush in my cell. I have been at this facility since Jan 3-2018 and now for the first time my toothpaste and toothbrush suddenly become contraband and arbitrarily confiscated by security staff. Instead of focusing on cleaning this m-unit so that it does not smell like feces and urine 24 hours a day, they rather have their security staff attack me by taking my toothpaste and toothbrush in an effort to provoke some type of negative response. The attack is wanton and malicious without any sound reasoning.

Instead of housing "all of severely" mentally ill in one or two unit, they, "Doctors and security staff scatter the severely mentally ill out to every unit to justify their arbitrary wanton malicious attacks on patients who are normal

4-22-18

and do complain about the conditions of their confinement only to become victims of more attacks by medical and security staff... due to their complaining about being punished for no obvious reasons other than a staff member wants to inflict some arbitrary punishment on a patient.

My orthopedic shoes have been confiscated again at the whim of staff who only seek to, to inflict pain and suffering on the mentally ill here at the Elgin Mental Health Center located at 750 S. State St. Elgin, Illinois 60123, The staff assume that all of the patients here are "retarded" and do not know how to defend themselves other than through some act of violence, then they call security staff who physically attack the patients, injecting drugs into the patient... knocking the patient out. An Arbitrary Wanton Malicious ~~etc~~ system that preys on the Mentally Ill whom are mostly defenceless when face with defending themselves against said arbitrary Wanton Malicious attacks by medical and security staff. The security staff confiscating my toothpaste and toothbrush today is a Brian Ayers working on M-unit, do not know if the name is correct too many lies.

Tommy Ortiz

continued
↓

4-22-18

The staff member that had my medical shoe confiscated is a Dr. or Nurse named Danette. I informed Ms. Danette that my right foot had been broken in 6 places and did not heal correctly. Stated that it does not matter, she's still taking my orthopedic shoes. I ask Why, Ms. Danette stated that I'm on precaution due to being "new" on the unit. I informed Ms. Danette that I have been at this Facility since Jan 3-18. Again Ms. Danette stated that it does not matter, she still taking my orthopedic shoes. Date shoes were taken by Ms. Danette, 4-19-18. I am having a lot of pain in my right foot due to my ortho shoes being taken by Ms. Danetter.

4-22-18
3:15 pm

Tonight two staff member came into M-unit and told the patients that they, Kris Bagle and April Perez are taking one of the TV sets so that they-staff can watch sports, one of the TV sets was left for the patients to watch. When the patients objected, staff call security to threaten all of the patients with total TV denial if they, the patients continued to object to staff taking a TV-set so staff could watch stated sports for themselves. their actions were arbitrary and wanton Maliciousness.

Tommy Ortiz